

**Introduced by Senator Ortiz**

February 20, 2003

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An act to add Division 8.6 (commencing with Section 22970) to the Business and Professions Code, relating to tobacco.

LEGISLATIVE COUNSEL'S DIGEST

SB 433, as introduced, Ortiz. Tobacco products: licensing of retailers.

Existing law vests the State Department of Health Services with primary responsibility for enforcement of tobacco control laws prohibiting the sale of tobacco products to minors, and requires the department to conduct random onsite inspections at retail sites. Existing law, the Cigarette and Tobacco Products Tax Law, requires distributors and wholesales of cigarette and tobacco products to be licensed by the State Board of Equalization.

This bill would declare that it is the intent of the Legislature to require the State Board of Equalization to license a retailer of cigarette and tobacco products that is engaged in business in California and to require the retailer to maintain the license on the premises for which it was issued.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Division 8.6 (commencing with Section 22970)
- 2 is added to the Business and Professions Code, to read:
- 3

## 1 DIVISION 8.6. RETAILERS OF TOBACCO PRODUCTS

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3 22970. It is the intent of the Legislature to require a retailer  
4 that sells cigarette and tobacco products in this state to obtain from  
5 the State Board of Equalization a valid license to sell cigarette and  
6 tobacco products and to maintain that license on the premises for  
7 which the license was issued.

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